## REMARKS

This Application has been carefully reviewed in light of the Advisory Action mailed November 7, 2003 and the Final Office Action mailed September 10, 2003. Claims 1-34 are pending in the present application. The Examiner rejected Claims 1-3, 6-12, 15-21, 24-29, 31, and 33. The Examiner objected to Claims 4-5, 13-14, 22-23, 30, 32, and 34. For the reasons set forth below, Applicant respectfully disagrees with these rejections.

### Allowable Subject Matter

Applicant notes with appreciation the Examiner's previous indication that Claims 4-5, 13-14, 22-23, 30, 32, and 34 would be allowable if rewritten in independent form to include all the limitations of the base claim and any intervening claims. However, these claims depend from independent Claims 1, 10, 19, 29, 32, and 33, respectively, which are allowable for the reasons discussed below, and are, therefore, allowable in their current form.

### Rejections Under §102

In the Final Office Action, the Examiner rejected Claims 29, 31, and 33 under 35 U.S.C. §102(a) as being anticipated by U.S. Patent 6,151,582 issued to Huang, et al. ("*Huang*"). The Examiner maintains this rejection in the Advisory Action.

Claim 29, as amended, of the present invention recites the following:

> A computer-implemented method for allocating data in a hierarchical, multi-dimensional organization of data, comprising:
>
> determining demand forecasts for one or more parents in the organization of data;
>
> determining current demand values for one or more children in the organization of data, each child being hierarchically related to one or more of the parents;
>
> determining the relationship between each parent and its children, the parents and children each representing a storage location within the organization of data that is uniquely identified by the positions of members in two or more dimensions of the organization of data;
>
> determining a variation for each child, the variation calculated using statistical techniques based on the historical variation in the values of the child over a specified time period; and
>
> determining a new demand value for each child by allocating the demand forecasts for the parents to the children based on the parent-child relationships, the current demand values of the children, and either the sum of the variations of the children or a matrix of the variations of the children.

Claims 31 and 33 recite similar, although not identical, limitations.

**Independent Claims 29, 31, and 33 are Allowable over *Huang***

In order for a patent claim to be anticipated by prior art under §102, each and every element of that claim must be present in the cited art. In the Response filed on October 22, 2003, Applicant explained in detail why several of the limitations of these claims are not disclosed in *Huang*. Those arguments are incorporated herein by reference.

For the purposes of this Response, Applicant would like to focus on the limitation of these claims, as amended, that recites "determining a new demand value for each child by allocating the demand forecasts for the parents to the children based on the parent-child relationships, the current demand values of the children, *and either the sum of the variations of the children or a matrix of the variations of the children.*" (emphasis added). Regardless of whether *Huang* discloses the other limitations of these claims (which Applicant maintains it does not), *Huang* does not disclose, teach, or suggest that a new demand value for each child is determined by allocating demand forecasts for the parents to the children based on the *variations* of the children, much less based on either *the sum of the variations of the children or a matrix of the variations of the children*, as recited in Claims 29, 31 and 33.

Nowhere does *Huang* disclose an allocation of a value from a parent to its children based on the variation of the children. At best, the citations to *Huang* provided by the Examiner teach that a future demand value associated with a particular item may be forecasted based on the variation of the past demand values for that same item. However, even assuming, for the sake of argument, that the "item" for which a demand value is forecast is a "parent" in a multi-dimensional organization of data, *Huang* does not teach that any type of variation is used in the *allocation* of that forecasted demand value to other items (such as children of the parent). The variation is used to create the forecasted value for an item, not to allocate that value to other items. Furthermore, *Huang* certainly does not teach that a demand value for a child is determined by allocating the demand forecast for a parent based on *the sum of the variations of the children or a matrix of the variations of the children.*

Therefore, *Huang* fails to anticipate Claims 29, 31, and 33 of the present invention. For at least these reasons, Applicant believes that Claims 29, 31, and 33 are allowable over the cited

reference. Therefore, Applicant respectfully requests reconsideration and allowance of Claims 29, 31, and 33, and all claims that depend from those claims.

**Rejections Under §103**

In the Final Office Action, the Examiner rejected Claims 1-28 under 35 U.S.C. §103(a) as being unpatentable over Huang in view of U.S. Patent 5,758,006 issued to Lobley, et al. ("*Lobley*"). The Examiner maintains this rejection in the Advisory Action. For the reasons set forth below, Applicant respectfully disagrees with these rejections.

**Independent Claims 1, 10, 19 and 28 are Allowable Over *Huang* In View of *Lobley***

For each element of Claim 1, and similarly, although not identically, Claims 10, 19, and 28, the Examiner relies on excerpts of *Huang* which fail to disclose all the elements of the present claims. Particularly, as discussed above, *Huang* does not disclose, teach, or suggest that a new value for each child is determined by allocating new values for the parents to the children based on the *variations* of the children, much less based on either *the sum of the variations of the children or a matrix of the variations of the children*, as recited in Claim 1, and similarly in Claims 10, 19, and 28.

Furthermore, in the Response filed on October 22, 2003, Applicant explained in detail why several other limitations of these claims are not disclosed in *Huang*. Those arguments are incorporated herein by reference.

Therefore, *Huang and Lobley*, either separate or combined, fail to anticipate or make obvious Claims 1, 10, 19, and 28 of the present invention. For at least these reasons, Applicant believes that Claims 1, 10, 19, and 28 are allowable over the cited reference. Therefore, Applicant respectfully requests reconsideration and allowance of Claims 1, 10, 19, and 28, as well as all claims that depend from those claims.

## CONCLUSION

Applicant has made an earnest attempt to place this application in condition for allowance. For the foregoing reasons, and for other reasons clearly apparent, Applicant respectfully requests reconsideration and full allowance of all pending claims.

If the Examiner feels that a telephone conference would advance prosecution of this application in any manner, the Examiner is invited to contact Brian W. Oaks, Attorney for Applicant, at the Examiner's convenience at (214) 953-6986.

Attached is a check in the amount of $770.00 for the Request for Continuation Examination fee. Applicant believes no other fees are due; however, the Commissioner is hereby authorized to charge any fee and credit any overpayment to Deposit Account No. 02-0384 of Baker Botts, L.L.P.

Respectfully submitted,

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